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June 30, 2021

BY ECF

Hon. Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Yun Wu Huang, et al.*, 18-cr-408 (EDNY)

Dear Judge Cogan:

Yunwu Huang¹ worked for his family's Queens-based wholesaler, Rong Fa Leather Goods, until it went out of business in 2017. Primarily a distributor of Chinese-made generic handbags and accessories, Rong Fa also conducted an illicit trade in low-quality counterfeit handbags. Proceeds from this trade – usually in the form of money orders – were deposited into Rong Fa's corporate bank account. Yunwu, along with his father and brother (collectively, the "Huang Defendants"), pleaded guilty to "structuring" these deposits in order to evade currency reporting requirements. 31 U.S.C. § 5324(a)(3). He submits this letter in advance of his July 14 sentencing.

GUIDELINES CONSIDERATIONS

The negotiated Guidelines calculation set out in the Huang Defendants' plea agreements – and reiterated in Yunwu's Presentence Report (¶¶ 33-42) – accurately reflects their culpability relative to the other defendants in this case and the related dockets. With a total offense level of 17, Xi Quan and his sons are, as a group, more culpable than Qi Fen Liang (level 12) – who briefly operated the counterfeit accessories business of a temporarily detained relative – but less culpable than Xue Wei Qu (level 19) – who became wealthy from her trade in comparatively high-grade knockoffs. See *U.S. v. Qu*, No. 18-cr-419, Gov't Sentencing Ltr. at 5 (ECF No. 93) (describing "Qu's

¹ Although the caption of this case identifies Mr. Huang as "Yun Wu," his friends and family universally refer to him as "Yunwu." The undersigned adopts the familiar spelling here.

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net worth” as “substantial even when excluding her husband’s substantial real estate holdings”).

The Huangs’ legitimate trade in generic handbags further distinguishes them from codefendants Xia and Gao. Both assigned to level 19 in their respective plea agreements, Xia and Gao dealt “almost exclusively” in contraband, selling knockoff accessories on their own account while operating a shipping business that served as “the FedEx for [other] counterfeit-good shippers.” Gao Sentencing Tr. at 16.

The Huang Defendants’ position near the middle of the pack provides a starting point for the Court’s sentencing analysis. As a general matter – and before accounting for each man’s individual circumstances – the Huang Defendants’ punishments ought to fall somewhere between Mr. Liang’s sentence of time-served and Mrs. Qu’s sentence to 366 days’ incarceration.

INDIVIDUAL SENTENCING FACTORS

Since well before his arrest in this case – and all through the pandemic – Yunwu has worked six days a week in a Queens supermarket, stocking beverages and making deliveries for approximately \$15.00 per hour. His wife, Huijuan, an American citizen and graduate of Queens College, works full-time at an architecture firm in Manhattan. Together the couple forms “the backbone of [the Huang] family’s economy,” raising their two children, ages eight and five, paying the mortgage on the Huang family’s modest house in Queens and contributing to the support of their aging parents. Ltr. from Chunliu Du, attached as Exh. B; *see* PSR ¶¶ 70-71.

Although Yunwu is well-liked at work – letters from the supermarket’s owner and several of its employees are attached to this submission, *see* Exhs. E-I – his social life revolves around his young family. Huijuan reports that her husband, unlike many of his peers, does not “hang out with friends at midnight or [on] weekend[s].” Ltr. from Huijuan Ye, attached as Exh. A. Her brother approves of his brother-in-law, marveling that “[he] never drinks when he eats, not at all.” Ltr. from Ting Ye, attached as Exh. C.

Abstentious and dutiful, Yunwu devotes his non-working hours to looking after his family. Up before his wife in the morning, he “prepares the breakfast[] and snacks (for school) for [his] daughter[,] sends her to school,” packs a lunch for his wife and transports his son to the daycare center. Exh. A. On his single weekly day off, he accompanies his wife and kids to the grocery store and playground. *Id.*

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These minutiae are significant for two reasons. First, they illustrate the perverse impact that a prison sentence would have in this case. While an enforced absence would for Yunwu be painful – and potentially dangerous² – he would at least escape the crushing monotony of the supermarket inventory room where he now spends the majority of his waking hours. Provided he emerges from prison unharmed, Yunwu may suffer less as a result of his incarceration than his wife, who could be forced to abandon her career, and his young children, who are old enough to miss their father but too young to comprehend the reason for his absence.

Second, Yunwu’s cheerful dedication to a life of meniality bespeaks a man who places others before himself. This trait – the sine qua non of good character – must figure prominently in an assessment of Yunwu’s “history and characteristics.” 18 U.S.C. § 3553(a)(1). It also bears upon the demonstrative considerations set out in § 3553(a)(2). While the sale of counterfeit luxury goods is a serious crime, the social utility of imprisoning a father who – though once involved in counterfeiting – now works 60-hour weeks at the local supermarket, is, by any reckoning, doubtful. Apart from the usefulness of his work, Yunwu’s apron and nametag convey an eloquent message about crime’s true wages.

² As noted in the recent submissions of Xi Quan and Yun Lei Huang, there is an appreciable risk that Yunwu’s Chinese nationality would, in a prison population that has suffered acutely during the pandemic, make him a target for misguided reprisals.

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CONCLUSION

Yunwu has taken responsibility for his crime in word and deed. Renouncing the counterfeiting industry, he has for years endeavored to support his young family through long hours at a low-paying job. Succeeding in this task, he also rendered an essential service to his community during the pandemic. He asks that the Court accept his hard work as atonement and permit it to continue.

Respectfully,



The image shows a handwritten signature in blue ink, which appears to read "Jonathan Savella".

Jonathan Savella

Encls.

cc: All parties (by ECF)

Exhibit A

June 27, 2021

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

I am Yunwu Huang's wife. My name is Huijuan Ye. I am a college graduate and full time employee of an architecture firm here in Manhattan. We have two kids. My daughter is almost 8 and half years old and my son is almost 5 and half years old. We are a very simple family and without many disputes. Yunwu and I have never quarreled. He is a very good and very responsible person.

I know him since 2011. I still remembered that the first time we went out to eat. He wanted to take home the leftovers. At that moment, I believed that this man is a very frugal person and does not waste. We married in 2012 and then we have our first kid. He quitted smoke because the baby. I'm so proud of him – I know that is very difficult for people to quit smoking. At that moment, I know he will be a good father and time proves me right. He didn't know how to hold newborns from the very beginning to being very skilled in changing diapers. Every morning, he woke up earlier than me. He prepares the breakfast and snacks (for school) for my daughter and sends her to the school because I need to leave early for work. He will sometimes prepare my lunch as well - I bring my own lunch to work. Usually, he drops off my son to the daycare center. He only have one day off of a week. He'll use this only off day to accompany us to buy home groceries, take the kids to play place, even though he's very tired. He has stomachaches so we'll always have stomach medicine at home. Every night, he'll go to Flushing, New York to pick me up after I off work because he thinks it isn't safe for a girl to go home alone. He's very gentle and careful. It really touches me. After we done with the dinner, I need to clean up the dishes, and he'll help me to watch the kids, won't let them bother me.

Yunwu is also very serious and responsible for his work. He always helped the new workers. He works six (6) days at the supermarket i.e. around 60 hours including the lunch time and off one day per week. He continued to work during the COVID-19 crisis, reporting to the grocery store everyday despite the dangers. A lot of his co-workers left, but he didn't. His boss asked him to work at night. He started coming home after 10 PM. In the first few months, he wore heavy protective clothing to work. His clothes were wet every day when he came back home. Few months later, his schedule begins to become normal. Even though, he doesn't need to wear the protective clothing, he still needs to wear mask, goggles and gloves. He said this is responsible for others. For the safety of the family, every night he comes back from work; he changes his clothes in the garage before entering the house.

In all these years, we have never had a fight and he has never quarreled with anyone else. He's unlike some men who hang out with friends at midnight or weekend. He is a man who attaches great importance to his family. I'm so glad he is my husband and my kids' father. He's a good and responsible man, a good husband, father and son.

I fear what will happen to my family without Yunwu. Please do not take him away from us. Thanks for taking time to read my letter.

Sincerely,

Huijuan Ye

A handwritten signature in black ink, appearing to read "Huijuan Ye". The signature is fluid and cursive, with a prominent initial 'H' and 'Y'.

Exhibit B

December 1, 2019

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

My name is Chunliu Du. I'm Yunwu Huang's mother. He was born on 12/17/1983 at a small village. Because we don't have money to go to the hospital, he was born at home, a home with no hot water, no heater, and no bathroom. In China, after you born a baby, you have to lay on the bed for at least one month, we were too poor, and I didn't do that even his father helped a lot.

Yunwu is a very filial child. He and his brother sometimes went to the mountain to pick up branches and leaves for me to cook. At the old days, there was no gas. We used the dry branches and leaves to cook. I remember that he's only 7 years old at that year. When he was 10 years old, if it was a busy farming season/harvest season, he would also go with us to plant seedlings and cut the rice. I remember one day afternoon when it suddenly rained and the neighbors didn't have time to put their rice way. He ran over to help them. We'll dry the reaped rice in the yard or on the road. The neighbors will always praise him for being a good boy. If it's not the harvest season, I'll take some knitting work and help make up for my home income. Yunwu would also help me to get those knotted wool out. Then we went abroad. He lived with his grand-parents. Sometimes he would cooked breakfast for his brother.

Now he has grown up and has his own family. He's still filial to me and his father. He always remembers my birthday and prepares presents for me. He is very patient with his children. Every morning he packed up his daughter's snack for school, helped her brush teeth, washed her face. Sometime he prepared the breakfast for her. Every Saturday, he took his whole family to Flushing to buy the daily usage. He wants his kids be happy at weekend. These kids don't like to stay home at weekend.

I know that he's going to appear before you for sentencing in January 2020. My son is a very good man and a filial kid. He also takes care of his family so much. He is now the backbone of our family's economy. In that I would ask that you grant him leniency at sentencing.

Sincerely,

CHUNLIU DU
Chunliu Du

Exhibit C

Ting Ye

[REDACTED]

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

My name is Ting Ye. Yunwu Huang is my brother-in-law and as a friend. The purpose of this letter is to provide a character reference for him whom I have known for 8 years. I know him since 2011. He's a very good man and a very good father.

I remember the year my sister was pregnant. He didn't want my sister went to work. I thought he was very nice to my sister. My sister will be happy in her rest of life. I also believed that he will be a great father. Now he has two lovely kids. He taught them very well and politely. Sometimes his family will come to my house. These little kids always call me uncle and call grandpa and grandma. Sometimes they go home after dinner. Yunwu never drinks when he eats, not at all. He said he had to drive home. He is a man who obeys the law very much. I was so shocked when I heard that he was arrested. I believe that he didn't know what he did was break the law.

It is my sincere hope you take this letter into consideration at the time of sentencing. Despite the current case, I still believe Yunwu Huang to be a man of unquestionable honesty, a good man, good father and a good family member.

Thank you for take the time to read my letter.

Sincerely,

Ting Ye



Exhibit D

Zhanghui Ye



November 24, 2019

Re: Yun Wu Huang

Your Honor,

My name is Zhanghui Ye and proud to offer my recommendation of Yun Wu Huang to whom I have personally known for over 7 years as my friend.

During my friendship with Yun Wu Huang I have experienced an person who shows up responsible, honest and courteous manner. In addition, Yun Wu Huang is a family-person who has always presented themselves with levelheadedness and grace. I strongly believe he has always been a rather solid person.

Please do not hesitate to contact me if you should require any further information. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that appears to read "Zhanghui Ye".

Zhanghui Ye

Exhibit E

November 24, 2019

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

My name is Xiaoyan Huang and I own the Hualian Supermarket. I am not only Yunwu's employer but also like to consider him to be a friend. I know that he's going to appear before you for sentencing in January 2020.

I want to write you to not only let you know about his character but to confirm his employment. He works very hard. He always knows what he was going to do. He manages the drinks, but he knows very well about the goods in the other departments. He works 6 days a week, about 60 hours (include lunch time) per week.

The best example that I can give you is when I first took over the supermarket. A man who delivers the goods to the restaurant quit the job. We don't have enough time to hire another one. Yunwu took his place. During that time, he had to deliver the goods to the restaurant by himself and still needs to do his own business (drinks). And then we hired someone, and Yunwu helped to train him. Now he has to do his own drinks work, and he also has to deliver the goods to the restaurant with this new guy. He demonstrates everything you would expect from a great employee. I also appreciate his help during that hard time.

In closing I would just ask that you take this into consideration going into sentencing. Everyone around him enjoys his presence. He's a good guy that you believe was misguided and ended up in this situation. He's a quick learner and always tries to please everyone. In that I would ask that you grant him leniency at sentencing.

Sincerely,

Xiaoyan Huang

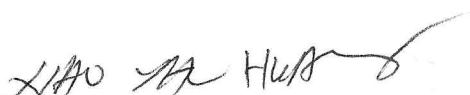


Exhibit F

December 10, 2019

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

My name is Zhongjei Hu. I work with Yunwu Huang at a Chinese supermarket. The purpose of this letter is to provide a character reference for Mr. Huang whom I have been known as a friend for more than one year. I would sincerely request you to look into this character letter before passing any verdict.

He has always been an upright character in the supermarket. He knows what to do. His job is drinks organizer. He also needs to deliver order at every Tuesday by himself and the rest of day with another co-worker. Basically, he's doing two jobs at the supermarket. He always organized this order very well, never got any compliant from the customer. He also is very easy to reach out if we cannot find the goods on his off day. For example, if I can't find certain drinks, I just need to call him, and he'll tell me where it is.

He has two kids, and is very involve in their lives. I personally have seen them went outside together when he rested. He taught his children politeness. When we chat together, he always talks about his family.

I acknowledge that Yunwu has done wrong and I understand the serious of charge brought against him. I truly believe he is a good person without malicious intent. He is a good father and a very family person. I'm sure he will feel guilty and will never do such a thing in his life forever. Please give him a second chance.

Sincerely,

Zhongjei Hu

A handwritten signature in black ink, appearing to read "Zhongjei Hu".

Exhibit G

November 24, 2019

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

I am writing on behalf of YunWu Huang. Mr. Huang and I have been co-worker for over two years. In this time, he has proven to be of a hard-working and responsible character. In general, Mr. Huang is known for being a dedicated husband and father of two lovely children. As a reliable member of the community, Mr. Huang's offense was quite unexpected.

We both has worked at Hualian Supermarket located in Flushing, Queens. I would like to vouch for his good behavior in the case that he has been accused in. Mr. Huang is industrious at work, and always help other co-workers who ever in need. Mr. Huang talk to me of the serious lack of judgment he has done and only done it for making more money for his family. I believe Mr. Huang has every intention of improving since, he has already got a stable job and income, also becomes a responsible and honest person for his family.

I have every confidence that YunWu Huang will develop the new skills needed to avoid making such a poor decision. It is my hope this letter regarding YunWu Huang and his case will act as a positive and contributing factor when the court considers this matter.

Sincerely,

Shenghao Hu

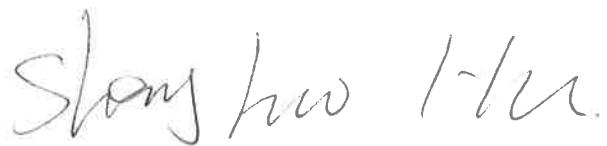
A handwritten signature in black ink, appearing to read "Shenghao Hu".

Exhibit H

November 20, 2019

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

My name is Shijei Lin, I'm Yunwu Huang's co-worker. We work at a Chinese supermarket together. He commutes to and from work on time every day, and he works very seriously. He does things very methodically. He is very friendly to his colleagues and willing to help others. Often after completing his own work, he will also help others. I'm in charge to delivering goods to restaurants at the supermarket. Every day, after finishing his own work, he will help me to deliver the goods together. For a long time, Yunwu has always done in silence and has never complained. In our supermarket, he is very popular. It's also a great pleasure to chat with him. So everyone likes him.

Sincerely,

Shijei Lin



Exhibit I

December 2, 2019

Hon. Brian M. Cogan
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Cogan,

My name is Kai Wu. I work at Hualian Supermarket with YunWu Huang. Although I have only known him for a few months, I know he is a very good man. Everyone around him enjoys his presence in the supermarket. He works very hard.

When I first got here, he really helped me a lot. I work in the freezer department. I was not very familiar with the things because I was just getting started. Sometimes when the goods arrived, he helped me sort them out. Sometimes he's gone through my department and saw I had a lot of things to put. He would stop by and helped me. After we are done, he would help me to bring those empty boxes to the storage. I really appreciate it.

I know that he's going to appear before you for sentencing in January 2020. He is a very good man, good friend and work conscientiously. I want you to be lenient in his sentencing.

Sincerely,

Kai Wu

A handwritten signature in black ink, appearing to read "Kai Wu".